

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Goa Legislature Secretariat

Notification

LA/B/719/1998

The following Bill which was introduced in the Legislative Assembly of Goa on 17-3-98 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 18th March, 1998.

The Goa State Guarantees (Amendment) Bill, 1998

(Bill No. 1 of 1998)

A

BILL

to amend the Goa State Guarantees Act, 1993 (Act 16 of 1993).

Be it enacted by the Legislative Assembly of Goa in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa State Guarantees (Amendment) Act, 1998.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 3.*— In section 3 of the Goa State Guarantees Act, 1993 (Act 16 of 1993),—

(i) in sub-section (1), for the expression “Rs. 40.00 crores”, the expression “Rs. 200.00 crores” shall be substituted;

(ii) in sub-section (2),—

(a) for clause (a), the following shall be substituted, namely:—

“(a) a Statement of any guarantee given not later than six months from the close of each financial year; and”;

(b) in clause (b), for the expression “within three months after the end of any financial year”, the expression “within six months after the close of any financial year” shall be substituted.

Statement of Objects and Reasons

In terms of sub-section (1) of section 3 of the Goa State Guarantees Act, 1993 (Goa Act 16 of 1993), the executive power of the State Government, to giving of guarantees extends upto the limit of the sum of Rs. 40.00 crores only. Due to the increased tempo of development activities, the State Government, as well as, various local bodies, statutory corporations and Government companies are exploring various avenues for raising resources including loans from financial institutions, issue of State Government guaranteed bonds and issue of guarantees for infrastructure development and projects on BOT/BOOT basis. The existing limit on guarantees upto Rs. 40.00 crores fixed under sub-section (1) of section 3 of the said Act, 1993, is required to be enhanced to Rs. 200.00 crores, to meet the increased developmental needs of the State. Further, the period of three months laid down by clauses (a) and (b) of sub-section (2) of section 3 of the said Act, 1993, for laying a Statement or an account, as the case may be, before the State Legislature, is proposed to be enhanced to six months.

This Bill seeks to achieve the above objects.

Financial Memorandum

Financial implications of the proposed Bill will arise only when Government guarantees are invoked against the State Government and the liability charged to the Consolidated Fund of the State. The amount involved in such cases cannot be foreseen at this stage.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Panaji,
9th March, 1998

PRATAPSINGH R. RANE
Chief Minister

Assembly Hall,
Panaji,
12th March, 1998

ASHOK B. ULMAN
Secretary to the
Legislative Assembly of Goa

Governor's recommendation under article 207 of the Constitution;

In pursuance of clause (1) & (3) of article 207 of the Constitution the Governor of Goa has recommended to the Legislative Assembly of Goa the introduction and consideration of "The Goa State Guarantees (Amendment) Bill, 1998."

(Annexure to Bill No. 1 of 1998)

The Goa State Guarantees (Amendment) Bill, 1998

The Goa State Guarantees Act, 1993 (Act No. 16 of 1993)

3. *Fixation of limit upto which State may give guarantees.— (1)*
The limit upto which the executive power of the State Government

shall extend to the giving of guarantees including guarantees given before the commencement of this Act as provided in clause (1) of Article 293 of the Constitution of India, shall be the sum of Rs. 40.00 crores.

(2) The State Government shall lay before the State Legislature,—

(a) a Statement of any guarantee given as soon as may be after it is given but not later than three months; and

(b) within three months after the end of any financial year in which any guarantees so given are in force, an account of the total sums, if any, which during that year have been either issued out of the Consolidated Fund of the State or paid in or towards repayment of any sum so issued.

Assembly Hall,
Panaji,
12th March, 1998

ASHOK B. ULMAN
Secretary to the
Legislative Assembly of Goa

Notification

LA/B/725/1998

The following Bill which was introduced in the Legislative Assembly of Goa on 18-3-98 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 19th March, 1998.

THE GOA SUPPLEMENTARY APPROPRIATION BILL, 1998

(Bill No. 2 of 1998)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 1997-98.

Be it enacted by the Legislative Assembly of Goa in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Goa Supplementary Appropriation Act, 1998.

2. *Issue of Rs. 24240.58 lakhs out of the Consolidated Fund of the State of Goa for the financial year 1997-98.*— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule amounting in the aggregate to the sum of two hundred and forty two crores forty lakhs and fifty eight thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1997-98 in respect of the services and purposes specified in column (2) of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

THE SCHEDULE

(See sections 2 & 3)

| No. of Demand | Services and Purposes | Sums not exceeding | | |
|----------------|---|--------------------|--|----------|
| | | Voted by Assembly | Charged on the Consolidated Fund of the State of Goa | Total |
| (1) | (2) | (3) | (4) | (5) |
| (Rs. in lakhs) | | | | |
| 1. | State Legislature | 35.02 | 10.26 | 45.28 |
| | Governor | - | 5.64 | 5.64 |
| 2. | Council of Ministers | 66.77 | - | 66.77 |
| 3. | Administration of Justice | 41.40 | - | 41.40 |
| 4. | Elections | 85.48 | - | 85.48 |
| 5. | Land Revenue | 12.64 | - | 12.64 |
| 6. | Stamps and Registration | 16.97 | - | 16.97 |
| 7. | State Excise | 22.45 | - | 22.45 |
| 8. | Sales Tax | 15.70 | - | 15.70 |
| 9. | Taxes on Vehicles | 3.25 | - | 3.25 |
| 11. | Secretariat | 56.08 | - | 56.08 |
| | Interest Payments | - | 418.77 | 418.77 |
| | Public Service Commission | - | 0.65 | 0.65 |
| 12. | District Administration | 86.73 | - | 86.73 |
| 13. | Treasury and Accounts Administration | 21.44 | - | 21.44 |
| 14. | Police | 203.96 | - | 203.96 |
| 15. | Jails | 9.55 | - | 9.55 |
| 17. | Stationery and Printing | 5.75 | - | 5.75 |
| 18. | Public Works | 600.66 | - | 600.66 |
| 19. | Other Administrative Services | 72.34 | - | 72.34 |
| 20. | Pensions | 250.00 | - | 250.00 |
| 21. | Miscellaneous General Services | 10429.01 | - | 10429.01 |
| 22. | General Education | 4687.08 | 4.70 | 4691.78 |
| 23. | Technical Education | 430.75 | - | 430.75 |
| 24. | Sports and Youth Services | 137.18 | - | 137.18 |
| 25. | Art and Culture | 105.59 | - | 105.59 |
| 26. | Medical and Public Health | 668.22 | 20.50 | 688.72 |
| 27. | Family Welfare | 94.00 | - | 94.00 |
| 28. | Water Supply and Sanitation | 207.02 | 5.01 | 212.03 |
| 29. | Housing | 13.00 | - | 13.00 |
| 30. | Urban Development | 301.58 | - | 301.58 |
| 31. | Information and Publicity | 17.27 | - | 17.27 |
| 33. | Labour and Employment | 130.05 | - | 130.05 |
| 34. | Social Security and Welfare | 66.13 | - | 66.13 |
| 36. | Relief on account of Natural Calamities | 5.67 | - | 5.67 |
| 37. | Agriculture | 80.19 | - | 80.19 |
| 38. | Soil and Water Conservation | 3.28 | - | 3.28 |
| 39. | Animal Husbandry | 47.64 | - | 47.64 |
| 40. | Dairy Development | 0.92 | - | 0.92 |
| 41. | Fisheries | 27.18 | - | 27.18 |
| 42. | Forestry and Wild Life | 84.83 | 29.76 | 114.59 |
| 43. | Food, Storage and Warehousing | 0.39 | - | 0.39 |
| 44. | Agricultural Research and Education | 8.95 | - | 8.95 |

| (1) | (2) | (3) | (4) | (5) |
|-----|---|----------|--------|----------------|
| | | | | (Rs. in lakhs) |
| 45. | Cooperation | 7.87 | - | 7.87 |
| 46. | Marketing and Quality Control | 0.23 | - | 0.23 |
| 47. | Rural Employment | 43.45 | - | 43.45 |
| 48. | Community Development and Panchayats | 148.00 | - | 148.00 |
| 49. | Special Area Programme | 1.45 | - | 1.45 |
| 50. | Major and Medium Irrigation | 72.83 | 41.00 | 113.83 |
| 51. | Minor Irrigation | 55.87 | 3.25 | 59.12 |
| 52. | Command Area Development | 44.15 | - | 44.15 |
| 53. | Flood Control Drainage | 23.00 | - | 23.00 |
| 54. | Energy | 3429.53 | 0.06 | 3429.59 |
| 55. | Non-Conventional Sources of Energy | 9.70 | - | 9.70 |
| 56. | Village and Small Industries | 90.27 | - | 90.27 |
| 57. | Industries | 5.40 | - | 5.40 |
| 58. | Mining | 9.04 | - | 9.04 |
| 59. | Ports and Light Houses | 4.25 | - | 4.25 |
| 60. | Roads and Bridges | 128.36 | 2.62 | 130.98 |
| 61. | Road Transport | 178.35 | - | 178.35 |
| 62. | Inland Water Transport Services | 155.49 | - | 155.49 |
| 65. | Tourism | 66.81 | 35.20 | 102.01 |
| 66. | Census, Surveys and Statistics | 12.43 | - | 12.43 |
| 67. | Civil Supplies | 5.13 | - | 5.13 |
| 68. | Other General Economic Services | 7.95 | - | 7.95 |
| | Public Debt | - | 6.98 | 6.98 |
| 69. | Loans and Advances to State Government Servants | 4.50 | - | 4.50 |
| | GRAND TOTAL | 23656.18 | 584.40 | 24240.58 |

Financial Memorandum

Provision is made in the Bill to appropriate for certain services and purposes expressed in the Schedule during the financial year ending 31st March, 1998, a sum of Rs. 24240.58 lakhs over and above the amounts granted for those services for the financial year 1997-98. The amount mentioned above consists of Rs. 22973.46 lakhs on Revenue Account and Rs. 1267.12 lakhs on Capital Account.

This Bill is introduced in pursuance of Article 205 (1) read with Article 204 of the Constitution of India to provide for the Supplementary Appropriation out of the Consolidated Fund of the State of Goa of the moneys required to meet the amount required on certain services during the financial year, 1997-98 in excess of the amounts granted for those services.

Panaji,
March, 1998

SHRI PRATAPSINGH RAOJI RANE
Chief Minister

Legislative Assembly of Goa

A

BILL

to give effect to the financial proposal of the State of Goa for the financial year 1997-98.

The Governor has, in pursuance of clauses (1) and (3) Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

ASHOK B. ULMAN
Secretary, Legislature Department

Notification

LA/B/719/1998

The following Bill which was introduced in the Legislative Assembly of Goa on 17-3-98 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 18th March, 1998.

**The Goa Labour Welfare Fund
(Amendment) Bill, 1998**

(Bill No. 4 of 1998)

A

BILL

further to amend the Goa, Daman and Diu Labour Welfare Fund Act, 1986.

Be it enacted by the Legislative Assembly of Goa in the Forty-ninth Year of the Republic of India as follows :—

1. *Short title and commencement.*— (1) This Act may be called the Goa Labour Welfare Fund (Amendment) Act, 1998.

(2) It shall come into force at once.

2. *Amendment of section 14.*— In section 14 of the Goa, Daman and Diu Labour Welfare Fund Act, 1986 (Act 4 of 1987), in sub-section (1), for the words “six rupees” and the words “twelve rupees”, the words “twelve rupees” and the words “thirty six rupees” shall be respectively substituted.

Statement of Objects and Reasons

Under the existing provisions of sub-section (1) of section 14 of the Goa, Daman and Diu Labour Welfare Fund Act, 1986 (Act 4 of 1987), every employee shall contribute six rupees per year and every employer in respect of each such employee shall contribute twelve rupees per year to the Labour Welfare Fund.

Now, on account of growing administrative expenses as well as the increasing volume of benefits extended to workers, it is proposed to enhance the existing contribution of employees to Rs. 12/- per annum and that of employers, to Rs. 36/- per annum.

This Bill seeks to achieve the above object.

Financial Memorandum

Under the provisions of section 14 of the Act, 1986, the employer is required to contribute Rs. 12/- per annum whereas the employee is required to contribute Rs. 6/- per annum. Approximately, receipts of Labour Welfare Fund amount to

Rs. 9 lakhs per annum. The amount is not sufficient to meet the mounting expenditure emanating from the implementation of Labour Welfare Schemes. The Board, therefore, adopted a Resolution in its Meeting held on 3-11-1993 to recommend upward revision of employer's and employees' contribution in tune with existing circumstances. The revision is warranted to meet the growing aspirations of working class and also to accept the changing concept of Labour Welfare. With the proposed increase, there shall be three fold increase in the employer's contribution and two fold in the employees' contribution. On account of this amendment, the Labour Welfare Fund is expected to realise an additional income of Rs. 27 lakhs per year on this count. This shall make the Board self-sufficient and there would be no need for the Government to advance grants. No additional financial expenditure, however, is involved as the enforcement in respect of proposed amendment shall be carried out within the existing framework of machinery.

Panaji,
6th March, 1998

LUIZINHO FALEIRO
Minister for Labour

Assembly Hall,
Panaji,
11th March, 1998

ASHOK B. ULMAN
Secretary to the
Legislative Assembly of Goa.

(Annexure to Bill No. 4 of 1998)

The Goa Labour Welfare Fund (Amendment)
Bill, 1998

The Goa, Daman and Diu Labour Welfare Fund Act, 1986
(Act No. 4 of 1987)

14. *Contribution to fund by employees and employer.*— (1) Every employee shall contribute six rupees per year to the Fund and every employer shall in respect of each such employee, contribute twelve rupees per year to the Fund.

(2) Notwithstanding anything contained in any other law for the time being in force, but subject to the provisions of this Act and any rules made thereunder, the employer shall be entitled to recover from the employee the employee's contribution by deduction from his wages in such manner as may be prescribed and such deduction shall be deemed to be a deduction authorised by or under the Payment of Wages Act, 1936 (Central Act 4 of 1936).

Assembly Hall,
Panaji,
11th March, 1998.

ASHOK B. ULMAN
Secretary to the
Legislative Assembly of Goa.

Notification

LA/B/ /1998

The following Bill which was introduced in the Legislative Assembly of Goa on 19-3-98 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 20th March, 1998.

The Goa Municipalities (Amendment) Bill, 1998

(Bill No. 5 of 1998)

A

BILL

further to amend the Goa Municipalities Act, 1968.

Be it enacted by the Legislative Assembly of Goa in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Municipalities (Amendment) Act, 1998.

(2) It shall come into force at once.

2. *Amendment of section 104.*— In section 104 of the Goa Municipalities Act, 1968 (Act 7 of 1969), after clause (c), the following shall be inserted, namely:—

“(cc) a garbage treatment tax for disposing solid waste by incineration or other scientific method;”.

Statement of Objects and Reasons

It is proposed to amend section 104 of the Goa Municipalities Act, 1968 (Act 7 of 1969), by inserting a new clause therein for imposing a garbage treatment tax for disposing solid waste by incineration or other scientific method. As incineration is expensive, it is proposed to impose this tax to meet its cost through the respective Municipal Councils.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill.

Panaji,
17th March, 1998.

DAYANAND G. NARVEKAR
Irrigation Minister

Assembly Hall,
Panaji,
17th March, 1998.

ASHOK U. ULMAN
Secretary to the Legislative
Assembly of Goa.

(Annexure to Bill No. 5 of 1998)

The Goa Municipalities (Amendment) Bill, 1998

The Goa Municipalities Act, 1968 (Act 7 of 1969)

104. *Other taxes which Council may impose.*— Subject to any general or special orders which the Government may make in this behalf, a Council may impose, for the purposes of this Act, any of the following taxes, namely:—

(a) a tax on all vehicles (excluding motor vehicles as defined in the Motor Vehicles Act, 1988), boats or animals used for riding, draught or burden and kept for use within the municipal area, whether they are actually kept within or outside such area;

(b) a toll on vehicles and animals used as aforesaid, entering the municipal area but not liable to taxation under clause (a);

(c) a tax on dogs kept within the municipal area;

(d) a special sanitary tax upon private latrines, premises or compounds cleansed by municipal agency; after notice given as hereinafter required;

(e) a drainage tax;

(f) a special water tax for water supplied by the Council in individual cases, charges for such supply being fixed in such mode or modes as shall be best suited to the varying circumstances of any class of cases or of any individual case;

(g) a tax on pilgrims resorting periodically to a shrine within the limits of the Council;

(h) a special educational tax;

(i) an octroi;

(j) any other tax which under the Constitution of India the Legislature of the Union territory has power to impose in the Union territory;

Provided that no special sanitary tax in respect of private latrines, premises or compounds shall be levied, unless and until the Council has—

(i) made provision for the cleansing thereof by manual labour, or for conducting or receiving the sewage thereof into municipal sewers, and

(ii) issued either severally to the persons to be charged, or generally to the inhabitants of the municipal area or part thereof to be charged with such tax, one month's notice of the intention of the Council to perform such cleansing and to levy such tax.

Assembly Hall,
Panaji,
17th March, 1998

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa

Department of Tourism

Notification

4/9/87-TIT(T)/Vol.I

Whereas, certain draft rules further to amend the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985, were published as required by sub-section (3) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), in the Official Gazette, Series I No. 41 dated 8th January, 1998, under Notification No. 4/9/97-TIT(T)/Vol.I dated 1st January, 1998, of the Department of Tourism, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Gazette was made available to the public on 8th January, 1998;

And whereas, no objections or suggestions have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Registration of Tourist Trade (Amendment) Rules, 1998.

(2) They shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of rule 3.*— In the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985 (hereinafter referred to as the 'principal Rules'), for sub-rule (1) of rule 3, the following shall be substituted, namely:—

"(1) An application for registration by a person intending to carry on the business as a dealer or hotel-keeper or a travel agent under the Act shall be submitted to the prescribed authority in Form I, Form II or Form III, as the case may be, along with a treasury challan under which fees as laid down hereunder have been paid."

| Category | Fees |
|--------------------------|--|
| (i) Dealer | Rs. 200/- per year. |
| (ii) Hotel-keeper | Rs. 600/- per year for 'A' Category. Rs. 400/- per year for 'B' Category. Rs. 300/- per year for 'C' Category. Rs. 200/- per year for 'D' Category. |

Explanation.— The criteria fixed for the categorisation of the hotels are contained in Annexure 'A' to these rules.

| | |
|----------------------------|--|
| (iii) Travel Agents | Rs. 300/- per year for travel agents conforming to the standards laid down in rule 9. Rs. 200/- per year for other travel agents like excursion agents, tourist guides, etc." |
|----------------------------|--|

3. *Amendment of rule 14.*— In rule 14 of the principal Rules, for sub-rule (2), the following shall be substituted, namely:—

"(2) An application for registration shall be submitted to the prescribed authority in Form XIV, with a treasury challan under which fees as laid down hereunder are paid. The certificate of registration shall be in Form VI.

- | | |
|--------------------------------|---------------|
| (1) Tourist boat and launches. | ... Rs. 200/- |
| (2) Tourist Taxi. | ... Rs. 120/- |

- | | |
|--------------------------------------|--------------|
| (3) Tents and tent equipment dealer. | ... Rs. 80/- |
| (4) Camping agency. | ... Rs. 80/- |
| (5) Porter. | ... Rs. 40/- |

By order and in the name of the Governor of Goa.

U.D. Kamat, Director of Tourism & Ex-Officio Joint Secretary.

Panaji, 23rd February, 1998.

Government Printing Press

Notice

The subscribers to the Official Gazette are kindly reminded that their present subscription term ends on the 31st March, 1998, being the end of financial year.

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GOVERNMENT PRINTING PRESS,
PANAJI - GOA.

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